

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KIMBERLY L. MILES)	
f/k/a KIMBERLY B. LOVINS,)	
Plaintiff))
V.)	CIVIL ACTION NO.04-10774NG
EXP@NETS, INC.,)	
LUCENT TECHNOLOGIES,))
AVAYA LLC,)	
AVAYA, INC., EXP@NETS 401(k))	
SAVINGS PLAN, PUTNAM)	
FIDUCIARY TRUST COMPANY and)	
MELLON HR SOLUTIONS LLC)	
Defendants))
)

**MOTION TO EXTEND TIME FOR SERVICE
AND FILE RETURNS OF SERVICE**

The plaintiff, Kimberly Miles, f/k/a Kimberly Lovins, hereby requests that this Court grant an extension of time to serve the Summons and Complaint upon all defendants and file the Returns of Service with the Court, up to and including November 15, 2004. As grounds for this Motion and the reason for the delay in completing service of process, the plaintiff states as follows: counsel for the plaintiff has been advised by Christopher Maffucci, counsel for Exp@nets , Inc., Lucent Technologies, Avaya LLC, Avaya, Inc., and Exp@nets 401(k) Savings Plan that a bankruptcy court approved the settlement in the within matter; however, the creditor's committee subsequently lodged an objection, which was recently withdrawn. Accordingly, counsel for the plaintiff is advised that the funds will be available shortly for distribution.

Wherefore, the plaintiff respectfully requests that this Court grant an extension of time to serve the Summons and Complaint upon all defendants and file the Returns of Service with the Court, up to and including November 15, 2004.

KIMBERLY MILES, f/k/a
KIMBERLY LOVINS
By her attorneys,

[s/ Nelson P. Lovins]
Nelson P. Lovins, BBO#306020
Carolyn M. Turner, BBO#561018
Lovins & Metcalf
10 Cedar Street
Woburn, Ma 01801
(781) 938-8800

Dated: October 14, 2004